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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/776,057	02/02/2001	Robert Sesek	10002445-1	9354

7590

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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER
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LETT, THOMAS J

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 03/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/776,057		SESEK, ROBERT	
	<b>Examiner</b>		<b>Art Unit</b>	
	Thomas J. Lett		2626	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 October 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7,9,11-15 and 17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7,9,11-15 and 17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 10 is objected to because of the following informalities: the phrase "matches a bio signatures" should be changed to read "matches a bio signature".  
Appropriate correction is required.
2. Claim 11 is objected to because of the following informalities: the phrase "said. a bio" should be changed to read "said bio". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2, 4-7, 10-14, and 18-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Davis et al (US Patent 5,633,932 A).

With respect to claim 1, Davis et al discloses a capturing device (col 5, line 67), which reads on a biometric identification device associated with said printer for inputting bio signatures to said printer;

a printing node that prints a sensitive document (col 5, lines 4-5), which reads on a printer for outputting print jobs in hardcopy form;

before printing the "sensitive" document, the printing node 130 would confirm that the recipient is present through one of a number of authentication techniques (col 4,

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lines 65-67), which reads on wherein said printer will not print said secured print job unless a bio signature is entered with said biometric identification device that matches a bio signature associated with said secured print job.

With respect to claim 2, Davis et al discloses a sending node 110 (col 3, lines 31-33), which reads on a host computer for generating said secured print job, said host computer associating said one or more bio signatures with said print job and transmitting said print job to said printer.

With respect to claim 4, Davis et al discloses a printing node may be represented as a facsimile machine (col 1, lines 43-45), which reads on wherein said printer is a fax machine.

With respect to claim 5, Davis et al discloses sensing a characteristic of the user (e.g., finger print) (col 6, lines 2-3), which reads on wherein said bio signature is an electronic representation of a user's fingerprint.

With respect to claim 6, Davis et al discloses a "printing node" is defined as a stand-alone hardware device which can receive, temporarily store, and print or otherwise display data from a personal computer or any other transmission device (col 1, lines 39-42), which reads on the system of claim 1, wherein said printer further comprises: a display device for listing pending secured print jobs; and a user input device for selecting a secured print job to output.

With respect to claim 7, Davis et al discloses that the system includes a sending node, a printing node and a communication link coupling these nodes together in a

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network fashion (col 2, lines 29-32), which reads on said host computer and said printer are connected via a computer network;

and sensing a characteristic of the user (e.g., finger print, iris, retina, etc.) to capture a single frame of data (generally referred to as "data frame") or more likely multiple data frames of the characteristic (col 6, lines 2-5), which reads on said one or more bio signatures associated with said secured print job are retrieved by said host computer from said computer network.

Claims 10, 11, and 18 are apparatus, method, and software claims, and are rejected for the same reasons as that of claim 1.

Claims 12 and 19 are method and software claims, and are rejected for the same reasons as that of claim 2.

Claim 13 is a method claim, and is rejected for the same reasons as that of claim 5.

Claim 14 is a method claim, and is rejected for the same reasons as that of claim 6.

Claim 15 is a method claim, and is rejected for the same reasons as that of claim 7.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al (US Patent 5,633,932 A) in view of Peha (US 20030023851 A1).

Davis et al does not disclose a second biometric identification device associated with said host computer for generating said bio signature associated with said secured print job. Peha discloses that the Author Verification Information is generated using biometric information associated with the Author of a document, such as a fingerprint or retina scan (para 6, lines 14-16). Davis et al and Peha are analogous art because they are from the similar problem solving area of biometric authentication. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the feature of generating biometric data of Peha to Davis et al in order to obtain generated data to compare with biometric data that a user input to a first biometric device. The motivation for doing so would be to compare generated data with biometric data that a user input to a first biometric device.

5. Claims 8 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al (US Patent 5,633,932 A) in view of Teitelbaum et al (US Patent 5,848,231 A). Davis et al discloses a capturing device (col 5, line 67), which reads on a biometric identification device associated with said printer for inputting bio signatures to said printer; a printing node that prints a sensitive document (col 5, lines 4-5), which reads on a printer for outputting print jobs in hardcopy form; before printing the "sensitive" document, the printing node 130 would confirm that the recipient is present through one of a number of authentication techniques (col 4, lines 65-67), which reads on wherein

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said printer will not print said secured print job unless a bio signature is entered with said biometric identification device that matches a bio signature associated with said secured print job. Davis et al does not disclose that a printer denies access to configuration controls of said printer unless an authorized bio signature matching a bio signature stored in said computer is input using said biometric identification device. Teitelbaum et al discloses a computer mouse having incorporated fingerprint imaging circuitry is described in detail below with reference to FIGS. 12 through 17. Using such a device, connected to a personal computer provides a system in accordance with the teachings of this invention that allows one's personal configuration and file management to be automatically configured on the basis of a user's fingertip being on the mouse (col 7, lines 35-41). Davis et al and Teitelbaum et al are analogous art because they are from the similar problem solving area of biometric authentication. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the configuration authentication feature of Teitelbaum et al to Davis et al in order to obtain a system to allow configuration of computer devices. The motivation for doing so would be to allow secure use of computers among various users.

Claim 16 is a method claim, and is rejected for the same reasons as that of claim 8.

6. Claims 9 and 17 is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al (US Patent 5,633,932 A) in view of Heptig et al (US Patent 5,377,269 A).

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Davis et al does not disclose that a said printer tracks usage of said printer using bio signatures input with said biometric identification device.

Heptig et al discloses a personal computer (PC) 10, connected to printer 36, to prevent unauthorized access to its data and programs and which incorporates features for controlling and monitoring computer usage (col 4, lines 39-43), and authorized users may be identified through the use of devices such as fingerprint and retinascanners (col 19, lines 46-49). Davis et al and Heptig et al are analogous art because they are from the similar problem solving area of biometric authentication. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the usage monitoring feature of Heptig et al to Davis et al in order to obtain a system to monitor computer or printer usage. The motivation for doing so would be to track or log usage statistics of a device.

Claim 17 is a method claim, and is rejected for the same reasons as that of claim 9.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Lett whose telephone number is 703-305-8733. The examiner can normally be reached on 7-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached at 703-305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, DC 20231

**or Faxed to:**

(703) 872-9314 (for Technology Center 2600 only).

**Hand-delivered responses should be brought to:**

Crystal Park II

2121 Crystal Drive

Arlington, VA

Sixth Floor (Receptionist).

TJL



SCOTT ROGERS  
PRIMARY EXAMINER